Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 007-00475-5100-145	Date: 4/14/07	Time: 1645 Hrs	
Location: 441 Bauchet St.		City or Station: Los Angeles, California 90012	
Bureau/Station/Facility: Custody Division South, Men's Central Jail		Admin. Investigation: YES ☐ NO ☒	
Type of Force: Significant			
Deputy Injury: YES ☒ NO ☐	Deputy Torres #[redacted]		
IAB Notified: YES ☒ NO ☐	Person Notified:	Emp #:	
Suspect Injury: YES ☒ NO ☐		IAB Roll Out: YES ☐ NO ☒	

Involved Employee

E1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: ☒ Male ☐ Female	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted] Height: [redacted]	Weight: [redacted]
Medical Exam / Treatment: ☐ Photos of Employee: ☐ N/A ☒	If Admitted, Name of Hospital:	Coroner Case #	Directed Force ☒ Significant Force ☐

Statement:

Statement continue: ☐

E2

Employee # [redacted]	Last Name Aviles	First Name David	Middle Name A
Sex: ☒ Male ☐ Female	Race: Hispanic	Unit of Assignment: Men's Central Jail	Work Assignment (Unit #, Module, etc.): 3500 Module Deputy
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted] Height: 5' 11"	Weight: 200
Medical Exam / Treatment: ☐ Photos of Employee: ☐ N/A ☒	If Admitted, Name of Hospital:	Coroner Case #	Directed Force ☒ Significant Force ☐

Statement:

Statement continue: ☐

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Ogurek	Gerhard	A	Sgt.	YES ☒ NO ☐	YES ☒ NO ☐
[redacted]	Larson	Leslie	A	Sgt	YES ☒ NO ☐	YES ☒ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Berry	Melinda	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Nee	Christopher	P

Lt. Christopher Nee
Watch Commander (**Print Name**) — Watch Commander's **Signature**: — Emp #: — Date

Sgt. Gerhard Ogurek — [redacted]
Supervisor Completing Form: (**Print Name**) — Emp #:

Sgt. Gerhard Ogurek — [redacted]
Copy Provided to Employee by: — Emp #:

Capt Olmsted
Unit Commander (**Print Name**) — Unit Commander's **Signature**: — Emp #: — Date

DISCOVERY Use Only
FO# 2192998

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P(Rev. 11/04)

Sup(isor's Report on Use of F(:e
INVOLVED EMPLOYEE INFORMATION

URN: 007-00475-5100-145

Involved Employee Continuation

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex: ☒ Male ☐ Female | Race: [redacted] | Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: [redacted] | Weight: [redacted]

Medical Exam / Treatment: ☐ Photos of Employee: ☐ N/A ☒ | Coroner Case # | Directed Force ☒ Significant Force ☒

If Admitted, Name of Hospital:

Statement:

Statement continue: ☐

E4

Employee #	Last Name	First Name	Middle Name
[redacted]	Ortega	Marcelo	A

Sex: ☒ Male ☐ Female | Race: Hispanic | Unit of Assignment: Men's Central Jail | Work Assignment (Unit #, Module, etc.): 3000 Roof Deputy #2

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 5'11 | Weight: 200

Medical Exam / Treatment: ☐ Photos of Employee: ☐ N/A ☒ | Coroner Case # | Directed Force ☒ Significant Force ☒

If Admitted, Name of Hospital:

Statement:

Statement continue: ☐

E5

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex: ☒ Male ☐ Female | Race: [redacted] | Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: [redacted] | Weight: [redacted]

Medical Exam / Treatment: ☐ Photos of Employee: ☐ N/A ☒ | Coroner Case # | Directed Force ☒ Significant Force ☐

If Admitted, Name of Hospital:

Statement:

Statement continue: ☐

Sup('isor's Report on Use of F(ce
INVOLVED EMPLOYEE INFORMATION

URN: 007-00475-5100-145

Involved Employee Continuation

E6

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: [X] Male [ ] Female	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: [ ] EM [ ] Day [X] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty	Age: [redacted] Height: [redacted]	Weight: [redacted]
Medical Exam / Treatment: [ ] Photos of Employee: [ ] N/A [X]	If Admitted, Name of Hospital:	Coroner Case #	Directed Force [X] Significant Force [X]

Statement:

Statement continue: [ ]

E7

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: [X] Male [ ] Female	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: [ ] EM [ ] Day [X] PM	[ ] Regular Shift [X] OT Shift [ ] Off Duty	Age: [redacted] Height: [redacted]	Weight: [redacted]
Medical Exam / Treatment: [ ] Photos of Employee: [ ] N/A [X]	If Admitted, Name of Hospital:	Coroner Case #	Directed Force [X] Significant Force [X]

Statement:

Statement continue: [ ]

E8

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: [X] Male [ ] Female	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: [ ] EM [ ] Day [X] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty	Age: [redacted] Height: [redacted]	Weight: [redacted]
Medical Exam / Treatment: [ ] Photos of Employee: [ ] N/A [X]	If Admitted, Name of Hospital:	Coroner Case #	Directed Force [X] Significant Force [ ]

Statement:

Statement continue: [ ]

Sup('isor's Report on Use of F(ce
INVOLVED EMPLOYEE INFORMATION

URN: 007-00475-5100-145

Involved Employee Continuation

E9

Employee #	[redacted]
Last Name	[redacted]
First Name	[redacted]
Middle Name	[redacted]
Sex	☒ Male ☐ Female
Race	[redacted]
Unit of Assignment	[redacted]
Work Assignment (Unit #, Module, etc.)	[redacted]
Shift	☐ EM ☐ Day ☒ PM ☒ Regular Shift ☐ OT Shift ☐ Off Duty
Age	[redacted]
Height	[redacted]
Weight	[redacted]
Medical Exam / Treatment	☐
Photos of Employee	☐ N/A ☒
If Admitted, Name of Hospital	
Coroner Case #	
Directed Force	☒
Significant Force	☒

Statement:

Statement continue: ☐

E10

Employee #	[redacted]
Last Name	[redacted]
First Name	[redacted]
Middle Name	[redacted]
Sex	☒ Male ☐ Female
Race	[redacted]
Unit of Assignment	[redacted]
Work Assignment (Unit #, Module, etc.)	[redacted]
Shift	☐ EM ☐ Day ☒ PM ☐ Regular Shift ☒ OT Shift ☐ Off Duty
Age	[redacted]
Height	[redacted]
Weight	[redacted]
Medical Exam / Treatment	☐
Photos of Employee	☐ N/A ☒
If Admitted, Name of Hospital	
Coroner Case #	
Directed Force	☒
Significant Force	☐

Statement:

Statement continue: ☐

E11

Employee #	[redacted]
Last Name	[redacted]
First Name	[redacted]
Middle Name	[redacted]
Sex	☒ Male ☐ Female
Race	[redacted]
Unit of Assignment	[redacted]
Work Assignment (Unit #, Module, etc.)	[redacted]
Shift	☐ EM ☐ Day ☒ PM ☐ Regular Shift ☒ OT Shift ☐ Off Duty
Age	[redacted]
Height	[redacted]
Weight	[redacted]
Medical Exam / Treatment	☐
Photos of Employee	☐ N/A ☒
If Admitted, Name of Hospital	
Coroner Case #	
Directed Force	☒
Significant Force	☐

Statement:

Statement continue: ☐

Sup('isor's Report on Use of F(:e
INVOLVED EMPLOYEE INFORMATION

URN: 007-00475-5100-145

Involved Employee Continuation

E 12

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: ☒ Male ☐ Female	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted] Height: [redacted]	Weight: [redacted]
Medical Exam / Treatment: ☐ Photos of Employee: ☐ N/A ☒ If Admitted, Name of Hospital:		Coroner Case #	Directed Force ☒ Significant Force ☒

Statement:

Statement continue: ☐

E 13

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: ☒ Male ☐ Female	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted] Height: [redacted]	Weight: [redacted]
Medical Exam / Treatment: ☐ Photos of Employee: ☐ N/A ☒ If Admitted, Name of Hospital:		Coroner Case #	Directed Force ☒ Significant Force ☐

Statement:

Statement continue: ☐

E 14

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: ☒ Male ☐ Female	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted] Height: [redacted]	Weight: [redacted]
Medical Exam / Treatment: ☐ Photos of Employee: ☐ N/A ☒ If Admitted, Name of Hospital:		Coroner Case #	Directed Force ☒ Significant Force ☐

Statement:

Statement continue: ☐

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 007-00475-5100-145

Involved Employee Continuation

E 15

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex: [X] Male [ ] Female | Race: [redacted] | Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Shift: [ ] EM [ ] Day [X] PM | [X] Regular Shift [ ] OT Shift [ ] Off Duty | Age: [redacted] | Height: [redacted] | Weight: [redacted]

Medical Exam / Treatment: [X] Photos of Employee: [ ] N/A [X] | Coroner Case # | Directed Force [X] Significant Force [ ]

If Admitted, Name of Hospital:

Statement:

Statement continue: [ ]

E 16

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex: [X] Male [ ] Female | Race: [redacted] | Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Shift: [ ] EM [ ] Day [X] PM | [X] Regular Shift [ ] OT Shift [ ] Off Duty | Age: [redacted] | Height: [redacted] | Weight: [redacted]

Medical Exam / Treatment: [ ] Photos of Employee: [ ] N/A [X] | Coroner Case # | Directed Force [X] Significant Force [ ]

If Admitted, Name of Hospital:

Statement:

Statement continue: [ ]

E__

Employee #	Last Name	First Name	Middle Name

Sex: [ ] Male [ ] Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: [ ] EM [ ] Day [ ] PM | [ ] Regular Shift [ ] OT Shift [ ] Off Duty | Age: | Height: | Weight:

Medical Exam / Treatment: [ ] Photos of Employee: [ ] N/A [ ] | Coroner Case # | Directed Force [ ] Significant Force [ ]

If Admitted, Name of Hospital:

Statement:

Statement continue: [ ]

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 007-00475-5100-145

Suspect Information

S 1

Last Name: Murillo | First Name: Jose | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☒ Male ☐ Female | Race: Hispanic | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 19 | Height: 5'11 | D.O.B. 07/16/88 | Weight: 150 | Armed? ☐

Booking #: 9067725 | Primary Charge Code: [redacted] | Secondary Charge Code: [redacted] | Criminal History ☒

EMT in attendance? ☐ YES ☒ NO | Name: | Unit: | Phone #:

EMT's Statement:

Hospital Admission? ☒ | Rec'd Treatment At: Men's Central Jail Clinic | Coroner Case #: | Mental History ☐

By Doctor: Nurse Sanchez # [redacted] | Address: 441 Bauchet St. Los Angeles, Ca. 90012 | Phone #: 213-974-4961

Doctor's Statement:

Under Influence: ☒ YES ☐ NO | Substance: Jail House Wine/ Pruno | Photos of Suspect's Injuries ☐ YES ☒ NO

Suspect Interview

Date: 04/14/07 | Time: 1700 HRS | Audiotape: ☐ | Videotape: ☒

Statement:

Statement continue: ☐

S 2

Last Name: Taylor | First Name: James | Middle Name: W

AKA Last Name: | First Name: | Middle Name:

Sex: ☒ Male ☐ Female | Race: W | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 34 | Height: 510 | D.O.B. 11/27/71 | Weight: 200 | Armed? ☐

Booking #: 9174841 | Primary Charge Code: [redacted] | Secondary Charge Code: [redacted] | Criminal History ☒

EMT in attendance? ☐ YES ☒ NO | Name: | Unit | Phone #:

EMT's Statement:

Hospital Admission? ☒ | Rec'd Treatment At: Men's Central Jail Clinic | Coroner Case #: | Mental History ☐

By Doctor: Nurse Sanchez # [redacted] | Address: 441 Bauchet Street, Los Angeles, CA 90012 | Phone #: 213 974-4961

Doctor's Statement:

Under Influence: ☒ YES ☐ NO | Substance: Jail House Wine/ Pruno | Photos of Suspect's Injuries ☐ YES ☒ NO

Suspect Interview

Date: 04/14/07 | Time: 1700 HRS | Audiotape: ☐ | Videotape: ☒

Statement:

Statement continue: ☐

Su(visor's Report on Use of (rce

URN: 007-00475-5100-145

Suspect Information (Continuation)

S3

Last Name: Rodriguez	First Name: Antonio	Middle Name: NMN
AKA Last Name:	First Name:	Middle Name:

Sex: ☒ Male ☐ Female | Race: Hispanic | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 26 | Height: 5'11 | D.O.B. 01/23/81 | Weight: 165 | Armed? ☐

Booking #: 8349982 | Primary Charge Code: [redacted] | Secondary Charge Code: [redacted] | Criminal History ☒

EMT in attendance? ☐ YES ☒ NO Name: | Unit: | Phone #:

EMT's Statement:

Hospital Admission? ☐ | Rec'd Treatment At: Men's Central Jail Clinic | Coroner Case #: | Mental History ☐

By Doctor: Nurse Sanchez #[redacted] | Address: 441 Bauchet Street, Los Angeles, CA 90012 | Phone #: 213 974-4961

Doctor's Statement:

Under Influence: ☒ YES ☐ NO | Substance: Jail House Wine/ Pruno | Photos of Suspect's Injuries ☐ YES ☒ NO

Suspect Interview

Date: 04/14/07 | Time: 1710 Hrs | Audiotape: ☐ | Videotape: ☒

Statement:

Statement continue: ☐

S4

Last Name: Orellana	First Name: Irvin	Middle Name: NMN
AKA Last Name:	First Name:	Middle Name:

Sex: ☒ Male ☐ Female | Race: Hispanic | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 24 | Height: 5'10 | D.O.B. 02/25/83 | Weight: 155 | Armed? ☐

Booking #: 9232292 | Primary Charge Code: [redacted] | Secondary Charge Code: [redacted] | Criminal History ☒

EMT in attendance? ☐ YES ☒ NO Name: | Unit: | Phone #:

EMT's Statement:

Hospital Admission? ☐ | Rec'd Treatment At: Men's Central Jail Clinic | Coroner Case #: | Mental History ☐

By Doctor: Nurse Gezahbgna #[redacted] | Address: 441 Bauchet Street, Los Angeles, CA 90012 | Phone #: 213 974-4961

Doctor's Statement:

Under Influence: ☒ YES ☐ NO | Substance: Jail House Wine/ Pruno | Photos of Suspect's Injuries ☐ YES ☒ NO

Suspect Interview

Date: 04/14/07 | Time: 1715 hrs | Audiotape: ☐ | Videotape: ☒

Statement:

Statement continue: ☐

Su(visor's Report on Use of (rce

URN: 007-00475-5100-145

Suspect Information (Continuation)

S5

Last Name: Godoy	First Name: Wilfredo	Middle Name: NMN
AKA Last Name:	First Name:	Middle Name:

Sex: ☒ Male ☐ Female	Race: Hispanic	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]

Work Phone: [redacted]	Home Phone: [redacted]	Age: 27	Height: 6'01	D.O.B. 08/06/79	Weight: 210	Armed? ☐

Booking #: 9163273 Primary Charge Code: [redacted] Secondary Charge Code: Criminal History ☒

EMT in attendance? ☐ YES ☒ NO Name: ______ Unit: ______ Phone #: ______

EMT's Statement:

Hospital Admission? ☐ Rec'd Treatment At: Men's Central Jail Clinic Coroner Case #: ______ Mental History ☐

By Doctor: Nurse Gezahbgna #[redacted] Address: 441 Bauchet Street Los Angeles, CA 90012 Phone #: 213 974-4961

Doctor's Statement:

Under Influence: ☒ YES ☐ NO Substance: Jail House Wine/ Pruno | Photos of Suspect's Injuries ☐ YES ☒ NO

Suspect Interview

Date: 04/14/07	Time: 1715 hrs	Audiotape: ☐	Videotape: ☒

Statement:

Statement continue: ☐

S_

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex: ☐ Male ☐ Female	Race:	Street Address:	City:	State & Zip Code:

Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐

Booking #: Primary Charge Code: Secondary Charge Code: Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: ______ Unit: ______ Phone #: ______

EMT's Statement:

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐

By Doctor: ______ Address: ______ Phone #: ______

Doctor's Statement:

Under Influence: ☐ YES ☐ NO Substance: ______ | Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date:	Time:	Audiotape: ☐	Videotape: ☐

Statement:

Statement continue: ☐

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

SIGNIFICANT USE OF FORCE
(Fractured Left Jaw and Orbital Socket)

DATE / TIME:	Saturday, April 14, 2007, 1650 hours
LOCATION:	Men's Central Jail - Module 3700 Floor Hallway 441 Bauchet Street, Los Angeles, CA., 90012
URN#:	007-00475-5100-145
REFERENCE #	5100-2007-0414-008
IAB#:	FO# 2192998
FORCE USED:	O.C. Spray, Taser, Take-downs, Fists and Knees

COMBATIVE INMATES WHOM FORCED WAS USED ON:

1. **James Taylor**, MH/35, BK# 9174841; in custody for [redacted] (Tasered, pepper sprayed, team take down, personal weapons, treated at LCMC)

2. **Jose Murillo**, MH/18, BK# 9067725; in custody for [redacted] (Tasered, pepper sprayed, team take down, personal weapons; (Fractured left jaw & orbital socket, treated at LCMC)

3. **Antonio Rodriguez**, MH/26, BK# 8349982; in custody for [redacted] (Pepper sprayed and take down, treated at MCJ Clinic)

4. **Wilfredo Godoy**, MH/27, BK# 9163273; in custody for [redacted] (Pepper sprayed and take down, treated at MCJ Clinic)

5. **Irvin Orellana**, MH/24, BK# 9232292; in custody for [redacted] (Pepper sprayed and take down, treated at MCJ Clinic)

On April 14, 2007, the Internal Affairs Bureau Force and Shooting Response Team responded to Men's Central Jail, after being notified of the use of significant force. The roll-out team consisted of Sergeant John W. Harris, Sergeant Trent Denison, Lieutenant Michael Parker and Lieutenant Dave Whitham.

SYNOPSIS:
On Saturday, April 14, 2007, at approximately 1650 hours, deputies and supervisors from Men's Central Jail met resistance from inmates housed in 3700-A Row, when they attempted to conduct a search for "pruno."

> **IAB NOTE:** Pruno is a bootleg alcoholic beverage brewed by some inmates and concealed from the deputies to avoid confiscation. Pruno is made by using the natural fermenting process of decaying bread and/or fruit. Other additives may include jail cleaning products, anti-bacterial soap, or drugs.

Sergeant Ogurek saw inmates on 3700 A-Row passing a "fishing line" between their cells. Sergeant Ogurek believed the "fishing line" was being used to facilitate the movement of "pruno" and/or contraband among the cells. Sergeant Ogurek ordered the inmates to give up the "fishing line" and they refused. Sergeant Ogurek said he found this some what unusual, as most of the time the inmates will surrender a "fishing line," especially when the floor sergeant is present. Sergeant Ogurek told the inmates that if they didn't give up the "fishing line," the row would have to searched.

Under the supervision of Sergeant Ogurek, deputy personnel were briefed, a plan was formulated and they entered the row to conduct a search. Inmates were told to strip down to their underwear and shower shoes and to back up to the gate, where they would be handcuffed. With their hands handcuffed behind their backs, they would then be moved from their cells, into the hallway.

Over a dozen inmates complied, were handcuffed, and escorted to the 3000 floor hallway without incident. However, five of the inmates ***(Involved Inmates #1 through #5)***) refused to be handcuffed, cursed at the deputies and refused to obey orders. The five Hispanic inmates (Southside gang members) challenged the deputies to enter their cells and tried to incite other inmates not to cuff up. Additionally the five inmates had removed their mattresses from their beds to be used as shields and had wrapped addition clothing and bedding around their heads and bodies.

Sergeant Ogurek began to negotiate with the five involved inmates, as well as Lieutenant Nee who had also responded to the module. The five inmates asked to be the last ones taken from their cells and agreed to cooperate. The five uncooperative inmates complied with Sergeant Ogurek's orders, were handcuffed with their hands behind their back and were escorted to the 3000 hallway, without further incident. With the removal of the five inmates, A-Row was cleared and could now be searched.

Meanwhile, the A-Row inmates (thirteen inmates) that had agreed to be handcuffed had already been searched and were now sitting on the floor in the 3000 hallway, being watched by deputies. As the five prior holdout inmates were led into the 3000 hallway, Inmate Taylor shouted, "Puro Sur 13. Dale Gas!" (A chant typically used by Southside gang members in the jails to incite other inmates to fight deputy personnel).

The five inmates ***(Involved Inmates #1 through #5)*** immediately turned on the deputies who were searching them. They began a variety of offensive tactics, such as trying to head butt, kicking, spitting and in one case biting the searching deputy. The other A-Row inmates did not join in the fight.

The following deputies used force to overcome the resistance of the specified assaultive inmates: Deputies 1-5 subdued Inmate (1) Taylor. Deputies 6-10 subdued Inmate (2) Murillo. Deputies 11-12 subdued Inmate Rodriguez. Deputies 13-14 subdued Inmate Godoy. Deputies 15-16 subdued Inmate Orellana.

Inmate Murillo tried to head butt deputies and bite them, so he was taken down to the floor. He continued to fight so he was ordered Tasered and pepper sprayed by Sergeant Ogurek. No impact weapons or kicks were used against any of the involved inmates.

At LCMC at 2145 hours, Inmate (2) Murillo was determined to have a fractured left jaw and left orbital socket. Preliminarily, it is believed that the fractures occurred when Inmate Murillo was taken down and his face hit the cement floor.

The five involved inmates were found to be under the influence of "pruno." Approximately six gallons of pruno and three loose razor blades were found in the cells during the cell searches.

> **IAB NOTE**: Information points to the involved inmates having planned to incite a riot. Their motivation is believed to be that they felt they recently lost respect and prestige by having their jail classification changed from K-10 (keep away from all inmates), to K-6 (keep away from all inmates other than K-6's).

The inmates were treated for their injuries as noted above. Inmates Taylor and Murillo were treated at LCMC and returned to MCJ. Deputy [redacted] was treated for a bite wound. No other deputies reported injuries.

INVOLVED PERSONNEL: ***(All Sworn Personnel are assigned to Custody Operations Division, Men's Central Jail)***

Deputies Who Used Force

1. **Deputy** [redacted], **#**[redacted]; (I/M (1) Taylor)
2. **Deputy** [redacted], **#**[redacted]; (I/M (1) Taylor)
3. **Deputy** [redacted], **#**[redacted]; (I/M (1) Taylor)
4. **Deputy** [redacted], **#**[redacted]; (I/M (1) Taylor)
5. **Deputy** [redacted], **#**[redacted]; (I/M (1) Taylor)
6. **Deputy** [redacted], **#**[redacted]; (I/M (2) Murillo)
7. **Deputy David Aviles, #**[redacted]; (I/M (2) Murillo)
8. **Deputy** [redacted], **#**[redacted]; (I/M (2) Murillo)
9. **Deputy Marcelo Ortega, #**[redacted]; (I/M (2) Murillo)
10. **Deputy** [redacted], **#**[redacted]; (I/M (2) Murillo)
11. **Deputy** [redacted], **#**[redacted]; (I/M (3) Rodriguez)
12. **Deputy** [redacted], **#**[redacted]; (I/M (3) Rodriguez)
13. **Deputy** [redacted], **#**[redacted]; (I/M (4) Godoy)
14. **Deputy** [redacted], **#**[redacted]; (I/M (4) Godoy)
15. **Deputy** [redacted], **#**[redacted]; (I/M (5) Orellana)
16. **Deputy** [redacted], **#**[redacted]; (I/M (5) Orellana)

Witness Deputies:

17. **Deputy Daren Jaramillo, #**[redacted]
18. **Deputy Mickey Manzo, #**[redacted]
19. **Deputy Timothy Rashford, #**[redacted]

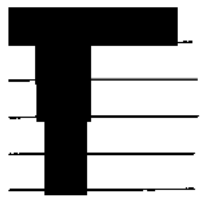
Supervisors Present:

20. **Sergeant Gerhard Ogurek, #**[redacted]; (Directed both Tasers)
21. **Sergeant Leslie Larson, #** [redacted]; (Directed pepper spray)
22. **Lieutenant Christopher Nee, #** [redacted]

EMPLOYEE WORK HISTORY:

[redacted]

Date of Employment
Date assigned to Patrol
Completed Patrol Training
Prior Shooting Incident(s)
Prior Founded Force Incidents



[redacted]

[redacted]

Date of Employment	[redacted]
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	[redacted]
Prior Founded Force Incidents	[redacted]

[redacted]

Date of Employment	[redacted]
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	[redacted]
Prior Founded Force Incidents	[redacted]

[redacted]

Date of Employment	[redacted]
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	[redacted]
Prior Founded Force Incidents	[redacted]

[redacted]

Date of Employment	[redacted]
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	[redacted]
Prior Founded Force Incidents	[redacted]

[redacted]

Date of Employment	[redacted]
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	[redacted]
Prior Founded Force Incidents	[redacted]

Aviles, David

Date of Employment	01-25-2006
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	[redacted]
Prior Founded Force Incidents	[redacted]

[redacted]

Date of Employment	[redacted]
Date assigned to Patrol	
Completed Patrol Training	
Prior Shooting Incident(s)	
Prior Founded Force Incidents	

Ortega, Marcelo

Date of Employment	08-22-1999
Date assigned to Patrol	[redacted]
Completed Patrol Training	
Prior Shooting Incident(s)	
Prior Founded Force Incidents	

[redacted]

Date of Employment	[redacted]
Date assigned to Patrol	
Completed Patrol Training	
Prior Shooting Incident(s)	
Prior Founded Force Incidents	

[redacted]

Date of Employment	[redacted]
Date assigned to Patrol	
Completed Patrol Training	
Prior Shooting Incident(s)	
Prior Founded Force Incidents	

[redacted]

Date of Employment	[redacted]
Date assigned to Patrol	
Completed Patrol Training	
Prior Shooting Incident(s)	
Prior Founded Force Incidents	

[redacted]

Date of Employment	[redacted]
Date assigned to Patrol	
Completed Patrol Training	
Prior Shooting Incident(s)	
Prior Founded Force Incidents	

[redacted]

Date of Employment [redacted]
Date assigned to Patrol
Completed Patrol Training
Prior Shooting Incident(s)
Prior Founded Force Incidents

[redacted]

Date of Employment [redacted]
Date assigned to Patrol
Completed Patrol Training
Prior Shooting Incident(s)
Prior Founded Force Incidents

[redacted]

Date of Employment [redacted]
Date assigned to Patrol
Completed Patrol Training
Prior Shooting Incident(s)
Prior Founded Force Incidents

INVOLVED INMATES:

1. **James Taylor**, MH/35, BK# 9174841; in custody for [redacted]

2. **Jose Murillo,** MH/18, BK# 9067725; in custody for [redacted]

3. **Antonio Rodriguez**, MH/26, BK# 8349982; in custody for [redacted]

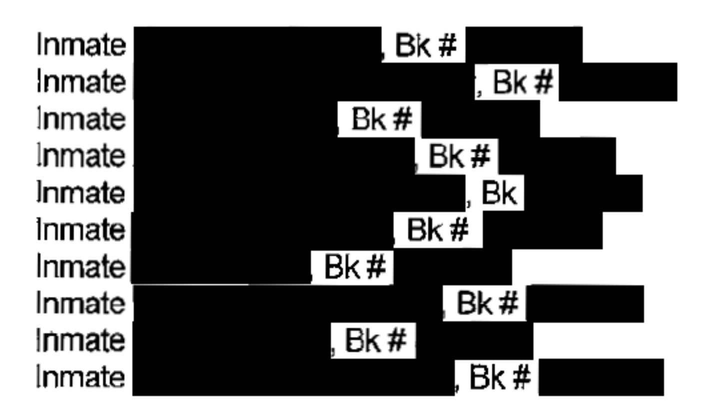
4. **Wilfredo Godoy**, MH/27, BK# 9163273; in custody for [redacted]

5. **Irvin Orellana**, MH/24, BK# 9232292; in custody for [redacted]

NON DEPARTMENT WITNESSES:
At the time of the incident the below listed inmates were housed in Module 3700, A-Row. Prior to the altercation, the inmates had been handcuffed, removed from their cells, ordered to sit on the floor, face the wall and not to turn around.

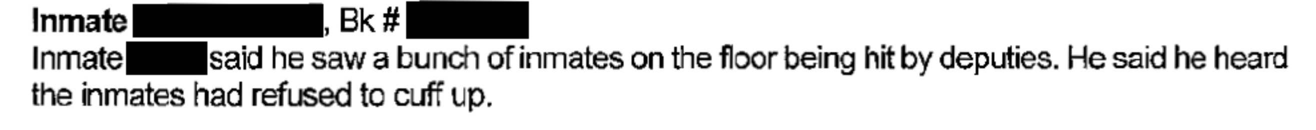
They were interviewed by IAB investigators, with their interviews digitally recorded and preserved in a "Wave" file format, which is held at IAB for safekeeping.

The narrative which follows is intended only as a synopsis of their interviews. Additional information and precise wording may be obtained by reviewing the recorded interviews.



Inmate [redacted], Bk # [redacted]
Inmate [redacted], Bk # [redacted]
Inmate [redacted] Bk # [redacted]
Inmate [redacted], Bk # [redacted]
Inmate [redacted], Bk [redacted]
Inmate [redacted] Bk # [redacted]
Inmate [redacted] Bk # [redacted]
Inmate [redacted], Bk # [redacted]
Inmate [redacted], Bk # [redacted]
Inmate [redacted], Bk # [redacted]

In regards to the physical altercation that took place in the 3000 floor hallway, the above listed inmates said they neither saw nor heard anything. They explained that they had been ordered to face the wall and not to turn around.



Inmate [redacted], Bk # [redacted]
Inmate [redacted] said he saw a bunch of inmates on the floor being hit by deputies. He said he heard the inmates had refused to cuff up.

Inmate [redacted], Bk # [redacted],
Inmate [redacted] said he didn't see anything, but heard voices say, "Why are you kicking me?" and "Stay still."

STATEMENTS OF INVOLVED INMATES:
The narrative which follows is intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the video of the interviews conducted by MCJ Lieutenant Nee and Sergeant Ogurek. Inmates Taylor and Murillo were also interviewed by IAB investigators. All recordings are held at IAB for safekeeping.

James Taylor, MH/35, BK# 9174841
Inmate Taylor was interviewed in the clinic by Lieutenant Nee and Sergeant Ogurek at 1714 hours on April 14, 2007. Inmate Taylor said he was sprayed in the face by one of the sergeants and then tased for a good five minutes. He said he was punched in his face 10-15 times and complained of pain to his back and nose.

Inmate Taylor kept repeating himself, saying that he didn't know how he received his injuries. At one time during the interviewed, he claimed that he must of fell off his bunk.

Inmate Taylor admitted that earlier he refused to hook up, but denied being involved in any type of altercation with the deputies.

On April 15, 2007, at approximately 0129 Hours, IAB investigators attempted to re-interview Inmate Taylor. Inmate Taylor refused to speak with investigators, stating he had nothing to say.

Jose Murillo, MH/18, BK# 9067725
Inmate Murillo was interviewed in the clinic by Lieutenant Nee and Sergeant Ogurek at 1706 hours on April 14, 2007. Inmate Murillo kept repeating, " I don't know what happened." Inmate Murillo said he refused to come out of his cell, but couldn't explain why. He denied consuming any pruno and/or drugs. Inmate Murillo said he wasn't hurt by any deputies and that he didn't try to hurt them.

On April 15, 2007, at approximately 0140 Hours, IAB investigators attempted to re-interview Inmate Murillo. Inmate Murillo refused to speak with investigators, stating, "I don't want to talk about it."

Antonio Rodriguez, MH/26, BK# 8349982
Inmate Rodriguez was interviewed on the 3000 Floor by Lieutenant Nee and Sergeant Ogurek at 1726 hours on April 14, 2007. Inmate Rodriguez said, "I slipped and fell." Inmate Rodriguez responded to the majority of the questions that he was asked, by stating, "I don't recall."

Inmate Rodriguez refused medical attention and the video depicts redness to his face, which is consistent with direct contact with OC spray. Inmate Rodriguez explained it was a sunburn. He said that the blood on his face was caused when he blew his nose too hard. He denied having any physical contact with the deputies and said he slipped in the shower.

Wilfredo Godoy, MH/27, BK# 9163273
Inmate Godoy was interviewed on the 3000 floor by Lieutenant Nee and Sergeant Ogurek at 1730 hours on April 14, 2007. Inmate Godoy denied any knowledge of refusing to hook up and said he didn't know what happened earlier. In reference to altercation in the hallway, he said, "Nothing happened." He denied being in any type of altercation or drinking pruno.

Irvin Orellana, MH/24, BK# 9232292
Inmate Taylor was interviewed on the 3000 Floor by Lieutenant Nee and Sergeant Ogurek at 1751 hours on April 14, 2007. Inmate Orellana said he wasn't involved in any fight with the deputies, that he wasn't hurt and doesn't know what happened after being removed from his cell. He said he was not injured or hurt. He denied drinking pruno or using any drugs.

INJURIES:

Inmate Injuries:
James Taylor; 2 puncture wounds to upper back from Taser darts, bruise above right eye, nose bleed, complaint of pain to back, face and whole body.

Jose Murillo; At 2145 hours, doctors at LCMC at determined that Inmate Murillo suffered a fracture on the left side of his jaw and also to his left orbital socket.

Antonio Rodriguez; Refused medical attention and denied any injuries or pain.

Wilfredo Godoy; Claimed he wasn't injured.

Irvin Orellana; Bruising to both cheeks and scratches on the right side of his lower side. Denied any injuries or that he was hurt. Calims

Refer to **Exhibit F** for additional information.

Deputies Injuries:
Deputy [redacted] suffered a human bite to the palm of his left hand. He was treated at U.S. Healthworks and released.

PHYSICAL EVIDENCE

No physical evidence was collected at the scene and the Crime Lab did not respond to this incident.

INVESTIGATORS' OBSERVATIONS:

At the time of the Force and Shooting Response Team's arrival, the incident was completely over and the crime scene was no longer preserved.

CRIMINAL INVESTIGATOR / CHARGES FILED:

Responsibility for the criminal investigation, rests with the Jail Investigative Unit, (JIU) at Men's Central Jail. JIU Deputy [redacted] # [redacted] was the assigned investigator.

Deputy [redacted] said it is the practice of the Los Angeles City Attorney's Office to decline prosecution of misdemeanor cases, in which a conviction would not add any significant additional time to the inmates sentence.

Due to the [redacted] and the serious charges the five involved inmates are facing, it was determined that they would not received any significant additional time. Therefore this case would not warrant prosecution by the City Attorney's Office. Refer to Case Closure Report **Exhibit H**, for additional information.

STATEMENTS OF INVOLVED DEPUTY AND SUPERVISORS:
The narrative which follows is intended only as a synopsis of the interview. Additional information and precise wording may be obtained by reviewing the recorded interview.

Deputy [redacted], #[redacted]
Deputy [redacted] said he was assisting in the search of A-Row when he heard the sounds of a loud commotion coming from the 3000 hallway. He ran to the hallway and saw deputies and inmates were involved in a fight in the hallway outside of Module 3700.

Deputy [redacted] said he saw Deputy [redacted] and Deputy [redacted] involved in a fight with Inmate James Taylor # 917841. He said he saw Inmate Taylor kick Deputy [redacted] leg and that Deputy [redacted] was telling Inmate Taylor to stop fighting. He said he heard Sergeant Ogurek order Deputy [redacted] to deploy his M-26 Taser on Inmate Taylor, which he did. Deputy [redacted] said after Inmate Taylor was tased, he (Inmate Taylor) immediately ceased his assault on them.

Deputy [redacted] said after Inmate Taylor was tased, he held his (Taylor's) legs and feet to prevent him from getting up or trying to kick anyone else. Deputy [redacted] said he did not witness any additional force being used.

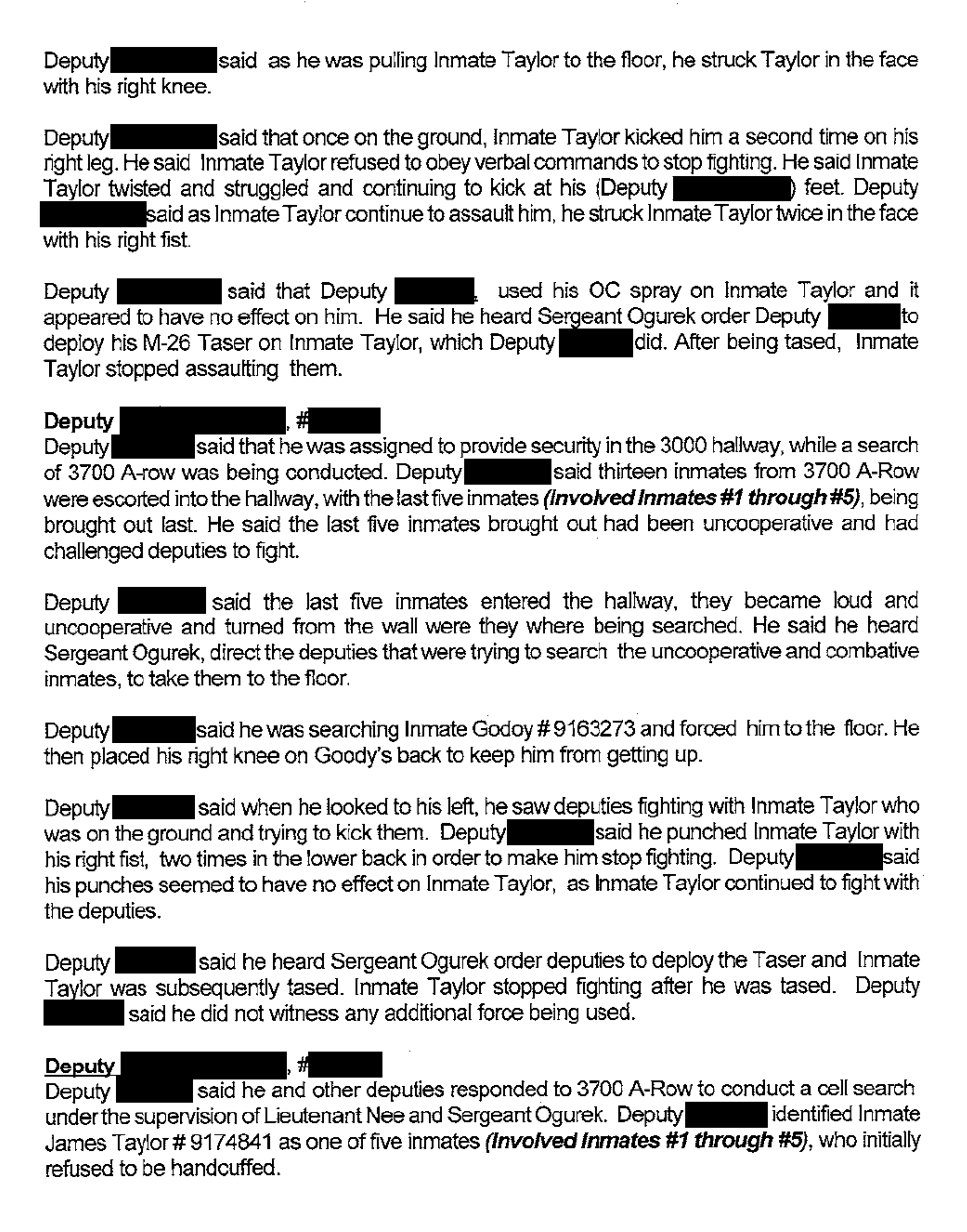
Deputy [redacted], #[redacted]
Deputy [redacted] said a search of A-Row was initiated by Sergeant Ogurek after Sergeant Ogurek saw a "fishing line" being passed on the row. Deputy personnel entered the module and ordered all of the inmates to strip down to their boxers and shower shoes, so that they could be handcuffed and escorted into the hallway.

Deputy [redacted] said all of the inmates on the row complied, with the exception of five inmates who refused. The five inmates ***(Involved Inmates #1 through #5)***, began to chant "Purso Sur 13" and were yelling at the deputies, that they where "true gangsters," and challenging them to come and get them.

Deputy [redacted] said Sergeant Ogurek attempted to negotiate with the inmates, as well as Lieutenant Nee who had also responded to the 3700 Module. Eventually the five hold out inmates agreed to cooperate and asked to be taken out last. The five inmates who had not been searched, were still fully clothed as they were handcuffed, and removed from their cells without incident.

Deputy [redacted] said he was going to search one of the five inmates (Inmate James Taylor # 9174841) and ordered Inmate Taylor to face the wall and spread his feet. Deputy [redacted] said he took hold of Inmate Taylor's handcuffs and began a pat search.

Deputy [redacted] said Inmate Taylor began to shout "Puro Sur 13, Dale Gas," and simultaneously turned the right side of his body toward him and kicked him ([redacted]) in his right lower leg with his foot. Deputy [redacted] said he and Deputy [redacted] began a team take down of Suspect Taylor.



Deputy [redacted] said as he was pulling Inmate Taylor to the floor, he struck Taylor in the face with his right knee.

Deputy [redacted] said that once on the ground, Inmate Taylor kicked him a second time on his right leg. He said Inmate Taylor refused to obey verbal commands to stop fighting. He said Inmate Taylor twisted and struggled and continuing to kick at his (Deputy [redacted]) feet. Deputy [redacted] said as Inmate Taylor continue to assault him, he struck Inmate Taylor twice in the face with his right fist.

Deputy [redacted] said that Deputy [redacted], used his OC spray on Inmate Taylor and it appeared to have no effect on him. He said he heard Sergeant Ogurek order Deputy [redacted] to deploy his M-26 Taser on Inmate Taylor, which Deputy [redacted] did. After being tased, Inmate Taylor stopped assaulting them.

Deputy [redacted], #[redacted]

Deputy [redacted] said that he was assigned to provide security in the 3000 hallway, while a search of 3700 A-row was being conducted. Deputy [redacted] said thirteen inmates from 3700 A-Row were escorted into the hallway, with the last five inmates ***(Involved Inmates #1 through #5)***, being brought out last. He said the last five inmates brought out had been uncooperative and had challenged deputies to fight.

Deputy [redacted] said the last five inmates entered the hallway, they became loud and uncooperative and turned from the wall were they where being searched. He said he heard Sergeant Ogurek, direct the deputies that were trying to search the uncooperative and combative inmates, to take them to the floor.

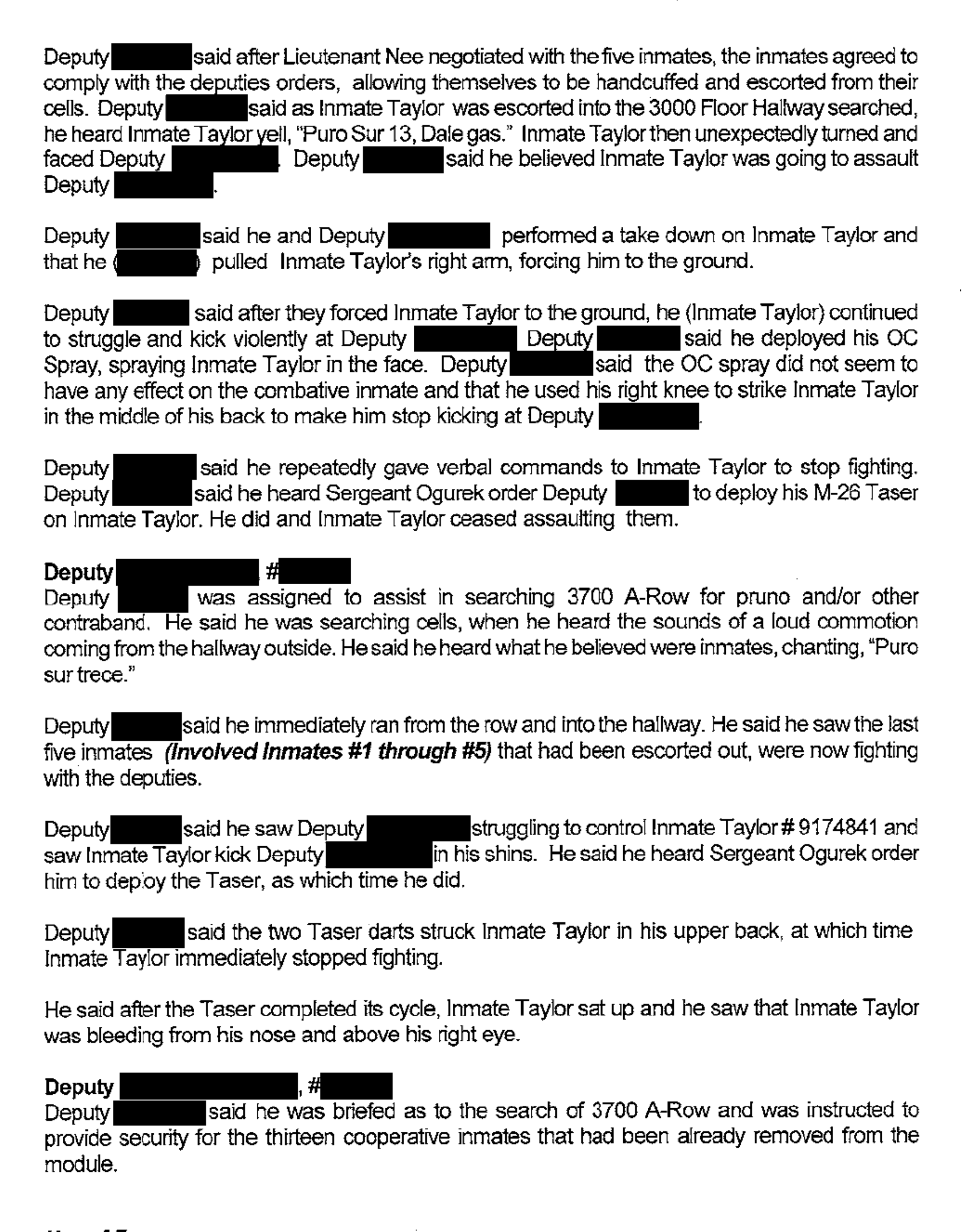
Deputy [redacted] said he was searching Inmate Godoy # 9163273 and forced him to the floor. He then placed his right knee on Goody's back to keep him from getting up.

Deputy [redacted] said when he looked to his left, he saw deputies fighting with Inmate Taylor who was on the ground and trying to kick them. Deputy [redacted] said he punched Inmate Taylor with his right fist, two times in the lower back in order to make him stop fighting. Deputy [redacted] said his punches seemed to have no effect on Inmate Taylor, as Inmate Taylor continued to fight with the deputies.

Deputy [redacted] said he heard Sergeant Ogurek order deputies to deploy the Taser and Inmate Taylor was subsequently tased. Inmate Taylor stopped fighting after he was tased. Deputy [redacted] said he did not witness any additional force being used.

<u>Deputy</u> [redacted], #[redacted]

Deputy [redacted] said he and other deputies responded to 3700 A-Row to conduct a cell search under the supervision of Lieutenant Nee and Sergeant Ogurek. Deputy [redacted] identified Inmate James Taylor # 9174841 as one of five inmates ***(Involved Inmates #1 through #5)***, who initially refused to be handcuffed.



Deputy [redacted] said after Lieutenant Nee negotiated with the five inmates, the inmates agreed to comply with the deputies orders, allowing themselves to be handcuffed and escorted from their cells. Deputy [redacted] said as Inmate Taylor was escorted into the 3000 Floor Hallway searched, he heard Inmate Taylor yell, "Puro Sur 13, Dale gas." Inmate Taylor then unexpectedly turned and faced Deputy [redacted]. Deputy [redacted] said he believed Inmate Taylor was going to assault Deputy [redacted].

Deputy [redacted] said he and Deputy [redacted] performed a take down on Inmate Taylor and that he ([redacted]) pulled Inmate Taylor's right arm, forcing him to the ground.

Deputy [redacted] said after they forced Inmate Taylor to the ground, he (Inmate Taylor) continued to struggle and kick violently at Deputy [redacted] Deputy [redacted] said he deployed his OC Spray, spraying Inmate Taylor in the face. Deputy [redacted] said the OC spray did not seem to have any effect on the combative inmate and that he used his right knee to strike Inmate Taylor in the middle of his back to make him stop kicking at Deputy [redacted].

Deputy [redacted] said he repeatedly gave verbal commands to Inmate Taylor to stop fighting. Deputy [redacted] said he heard Sergeant Ogurek order Deputy [redacted] to deploy his M-26 Taser on Inmate Taylor. He did and Inmate Taylor ceased assaulting them.

Deputy [redacted] #[redacted]

Deputy [redacted] was assigned to assist in searching 3700 A-Row for pruno and/or other contraband. He said he was searching cells, when he heard the sounds of a loud commotion coming from the hallway outside. He said he heard what he believed were inmates, chanting, "Puro sur trece."

Deputy [redacted] said he immediately ran from the row and into the hallway. He said he saw the last five inmates ***(Involved Inmates #1 through #5)*** that had been escorted out, were now fighting with the deputies.

Deputy [redacted] said he saw Deputy [redacted] struggling to control Inmate Taylor # 9174841 and saw Inmate Taylor kick Deputy [redacted] in his shins. He said he heard Sergeant Ogurek order him to deploy the Taser, as which time he did.

Deputy [redacted] said the two Taser darts struck Inmate Taylor in his upper back, at which time Inmate Taylor immediately stopped fighting.

He said after the Taser completed its cycle, Inmate Taylor sat up and he saw that Inmate Taylor was bleeding from his nose and above his right eye.

Deputy [redacted], #[redacted]

Deputy [redacted] said he was briefed as to the search of 3700 A-Row and was instructed to provide security for the thirteen cooperative inmates that had been already removed from the module.

Deputy [redacted] said five of the uncooperative inmates ***(Involved Inmates #1 through #5)*** were being led out of the module by deputies and Sergeant Ogurek. He said his attention was focused on the thirteen inmates, when he heard a loud commotion coming from behind him. Deputy [redacted] said he looked over and saw Inmate Murillo was on the floor and violently struggling with Deputy Ortega and Deputy [redacted]. He said Inmate Murillo was kicking his legs and feet, as he attempted to strike Deputy Ortega and Deputy [redacted].

Deputy [redacted] said he moved over and grabbed both of Murillo's legs in order to keep him from injuring a deputy. He said almost immediately upon grabbing his (Murillo) legs, Deputy [redacted] deployed the Taser on Inmate Murillo which caused him to stop fighting. Deputy [redacted] said the only force that he used was that of restraining Inmate Murillo's feet and legs.

Deputy David Aviles, #[redacted]

Deputy Aviles said he was providing security in the 300 Hallway and heard Deputy Ortega order Inmate Murillo to get on his knees. Inmate Murillo was one of the five holdout inmates ***(Involved Inmates #1 through #5)*** that had been escorted into the hallway so that they could be searched.

Deputy Aviles said he saw Deputy Ortega take hold of Inmate Murillo and try to pull him to the floor. He said Inmate Murillo responded by forcefully pulling away from Deputy Ortega. He said he immediately took hold of Inmate Murillo's left arm and shoulder, and with the assistance of Deputy Ortega forced Inmate Murillo to the floor.

Deputy Aviles said as they forced Inmate Murillo to the floor, he landed on his stomach and that his (Murillo's) face struck the floor. He said Inmate Murillo refused to follow orders and that he was able to roll onto his side and sit up. Deputy [redacted] sprayed OC spray in Inmate Murillo's face, which appeared to have no effect as he continued to struggle to stand up.

Deputy Aviles said he again took hold of Inmate Murillo's left arm and shoulder and forced him back onto the floor, stomach down. He said Inmate Murillo again struck his face on the floor.

Deputy Aviles said as Inmate Murillo continued to struggle, he sat on his (Murillo's) back to keep him from getting back up. He said Inmate Murillo began spitting at the deputies and that he ordered him (Murillo) several times to stop spitting. He said he placed his right forearm on the left side of Inmate Murillo's face to prevent him from spitting and that Inmate Murillo tried to bite him.

Deputy Aviles said he then punched Inmate Murillo 2-3 times in the face, in order to make him stop fighting. He said Inmate Murillo continued to kick and violently move his upper torso as he tried to move his body closer to the deputies. He said he saw Deputy Ortega strike Inmate Murillo 3-4 times in the face, as Inmate Murillo continued to fight.

Deputy Aviles said that Deputy [redacted] deployed the Taser against Inmate Murrilo, as which time he ceased fighting and complied with the deputies commands.

Deputy [redacted], #[redacted]
Deputy [redacted] said he was assisting deputies as they escorted inmates out of Module 3700 A-Row and into the hallway so that the row could be searched. Deputy [redacted] said as he was waiting in the hallway he heard that five of the inmates ***(Involved Inmates #1 through #5)*** who had refused to cuff up, were now cooperating and were coming out to be searched.

Deputy [redacted] said he was watching the thirteen inmates that had previously been escorted off the row, when he heard yelling coming from the area where the last five inmates were being searched. He said he looked in that direction and saw Deputy Ortega and Deputy [redacted] force Inmate Murillo # 9067725 to the floor. Deputy [redacted] said Inmate Murillo was resisting and trying to pull away and as the deputies forced him to the floor, he saw Inmate Murillo's face strike the floor.

Deputy [redacted] said this seemed to enrage Inmate Murillo and he began to kick his legs, and then managed to sit up. Deputy [redacted] said he was directed by Sergeant Ogurek to spray Inmate Murillo with his OC spray, which he did. He said he directed a 2-3 second burst of OC spray into Inmate Murillo's face, which appeared to have no effect on him.

Deputy [redacted] said Inmate Murillo was again forced onto his stomach by Deputies Ortega and [redacted] and that he (Deputy [redacted]) placed both of his hands on Inmate Murillo's back to try and control of him. Deputy [redacted] said he was unable to control Inmate Murillo as he forcefully shook his upper body and kicked out with his legs.

Deputy [redacted] said he heard Sergeant Ogurek order Deputy [redacted] to deploy the Taser on Inmate Murillo. After being struck with the Taser, Inmate Murillo immediately stopped fighting.

Deputy Marcelo Ortega, #[redacted]
Deputy Ortega was initially assigned to the 3000 Roof when he was directed to assist deputies in searching Module 3700 A-Row. Deputy Ortega said he was on the row, when he heard Lieutenant Nee and Sergeant Ogurek talking to several of the inmates ***(Involved Inmates #1 through #5)***, who had refused to be handcuffed for a cell search.

Deputy Ortega said a few minutes later, he heard Inmate Antonio Rodriguez order the other four inmates to cooperate and cuff up. Deputy Ortega said the other four inmates did as they were told and were handcuffed and escorted into the hallway without further incident.

Deputy Ortega said he handcuffed and escorted Inmate Jose Murillo # 9067725 out of his cell and into the 3000 hallway. He said he placed Inmate Murillo facing the wall, so that he could conduct a pat down search. Inmate Murillo was one of the five holdouts and was still fully clothed and had not been searched for weapons.

Deputy Ortega said as began to search Inmate Murillo, he heard an unknown inmate yelling aggressively, "Why are you mistreating my homies?" Deputy Ortega said he felt Inmate Murillo's body tense, as he tried to move him (Murillo) closer to the wall in order to gain a better position of advantage. Deputy Ortega said Inmate Murillo was resisting and he told him to get on his knees, which he refused.

Deputy Ortega said he was unable to force Inmate Murillo to the floor and Deputy [redacted] had to assist him in the takedown. He said the whole time Inmate Murillo was violently twisting his upper body in an effort to break free from them. Deputy Ortega said as they forced Inmate Murillo to the floor, he (Murillo) struck his face on the floor. Deputy Ortega said that once on the floor, Inmate Murillo again tried to break free, twisting his body and kicking.

Deputy Ortega said he smelled the odor of OC spray in the air and knew that a deputy had sprayed Inmate Murillo. He said the OC spray seemed to make Inmate Murillo more aggressive as he spit and tried to bite Deputy [redacted].

Deputy Ortega said he was afraid Inmate Murillo was going to seriously injure Deputy [redacted], so he struck Inmate Murillo 4-5 time with his right fist on the left side of his (Inmate Murillo's) face, to make him stop fighting. He said Inmate Murillo continued to fght, until Sergeant Ogurek ordered the Taser to be deployed. Deputy Ortega said as soon as Inmate Murillo was tased, he immediately stopped fighting.

Deputy [redacted], #[redacted]
Deputy [redacted] said he was assigned to assist his fellow deputies in searching 3700 A-Row for contraband. Deputy [redacted] said initially thirteen inmates were handcuffed and removed from their cells. The thirteen inmates were then escorted out into the hallway were they were ordered to sit on the floor and face the wall.

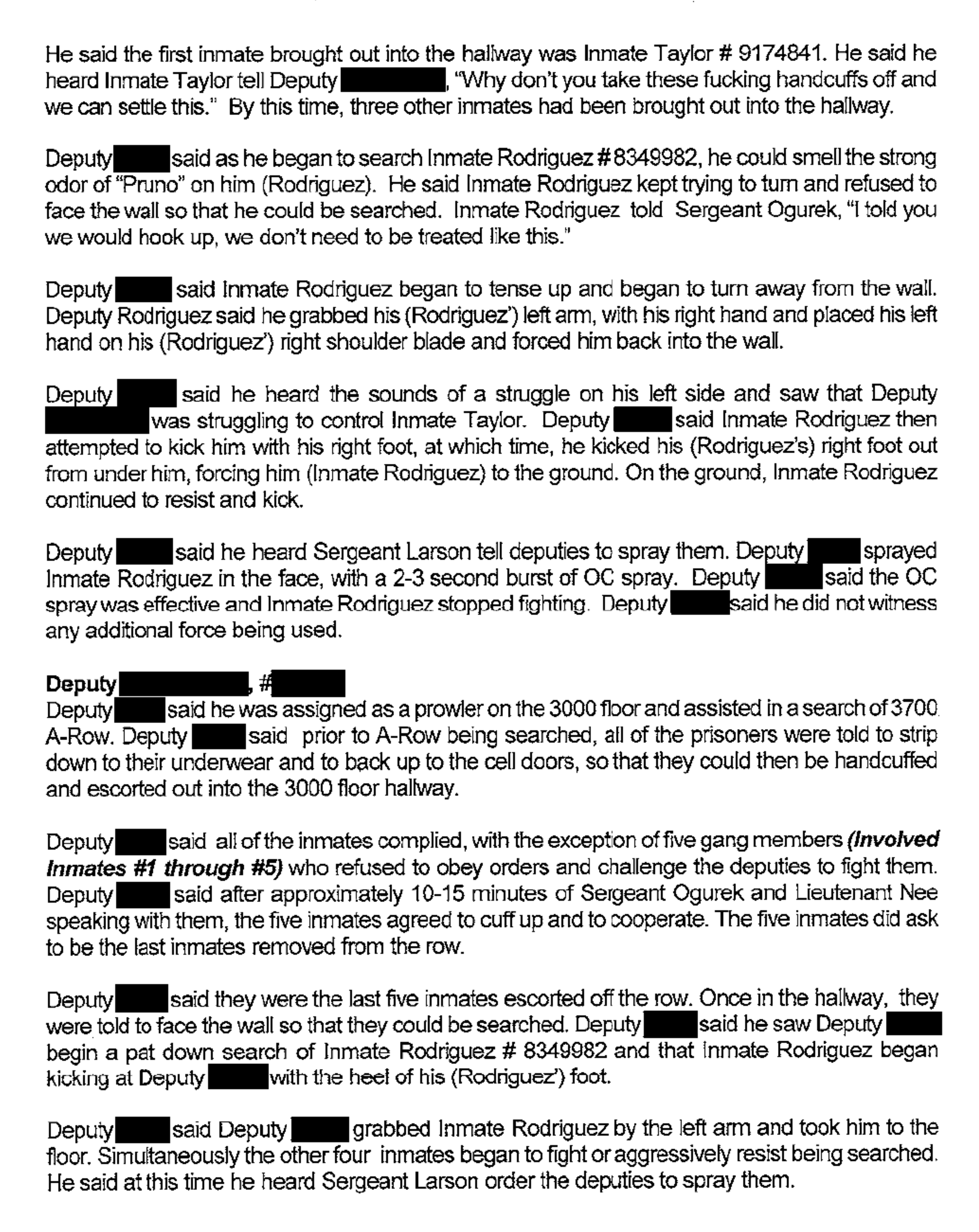
Deputy [redacted] said the five remaining inmates ***(Involved Inmates #1 through #5)*** were handcuffed, removed from their cells and escorted into the hallway. Once in the hallway, deputies began a pat down search of the five the inmates. Deputy [redacted] said the five inmates began to yell profanities, as they tried to incite other inmates to fight.

Deputy [redacted] said he saw Inmate Taylor # 9174841 suddenly turn and face Deputy [redacted], who was trying to control him. He said he heard Sergeant Ogurek order deputies to take the five inmates to the floor. He said he saw the five inmates who were forced to the floor continued to yell and resist. Deputy [redacted] said that the five inmates were kicking at the deputies and trying to get back on their feet. He said that deputies were giving verbal commands to the inmates to stop kicking and to remain on the ground.

Deputy [redacted] said Sergeant Ogurek ordered him to deploy his Taser on Inmate Murillo, who was violently resisting and attempting to kick the deputies who were holding him down. Deputy Murillo said he activated his M-26 Taser, at which time Inmate Murillo ceased fighting.

Deputy [redacted] said he did not witness any additional force being used.

Deputy [redacted], #[redacted]
Deputy [redacted] said he was briefed on the situation in 3700 A-Row, and told the five uncooperative inmates ***(Involved Inmates #1 through #5)*** wanted to be brought out last.



He said the first inmate brought out into the hallway was Inmate Taylor # 9174841. He said he heard Inmate Taylor tell Deputy [redacted], "Why don't you take these fucking handcuffs off and we can settle this." By this time, three other inmates had been brought out into the hallway.

Deputy [redacted] said as he began to search Inmate Rodriguez # 8349982, he could smell the strong odor of "Pruno" on him (Rodriguez). He said Inmate Rodriguez kept trying to turn and refused to face the wall so that he could be searched. Inmate Rodriguez told Sergeant Ogurek, "I told you we would hook up, we don't need to be treated like this."

Deputy [redacted] said Inmate Rodriguez began to tense up and began to turn away from the wall. Deputy Rodriguez said he grabbed his (Rodriguez') left arm, with his right hand and placed his left hand on his (Rodriguez') right shoulder blade and forced him back into the wall.

Deputy [redacted] said he heard the sounds of a struggle on his left side and saw that Deputy [redacted] was struggling to control Inmate Taylor. Deputy [redacted] said Inmate Rodriguez then attempted to kick him with his right foot, at which time, he kicked his (Rodriguez's) right foot out from under him, forcing him (Inmate Rodriguez) to the ground. On the ground, Inmate Rodriguez continued to resist and kick.

Deputy [redacted] said he heard Sergeant Larson tell deputies to spray them. Deputy [redacted] sprayed Inmate Rodriguez in the face, with a 2-3 second burst of OC spray. Deputy [redacted] said the OC spray was effective and Inmate Rodriguez stopped fighting. Deputy [redacted] said he did not witness any additional force being used.

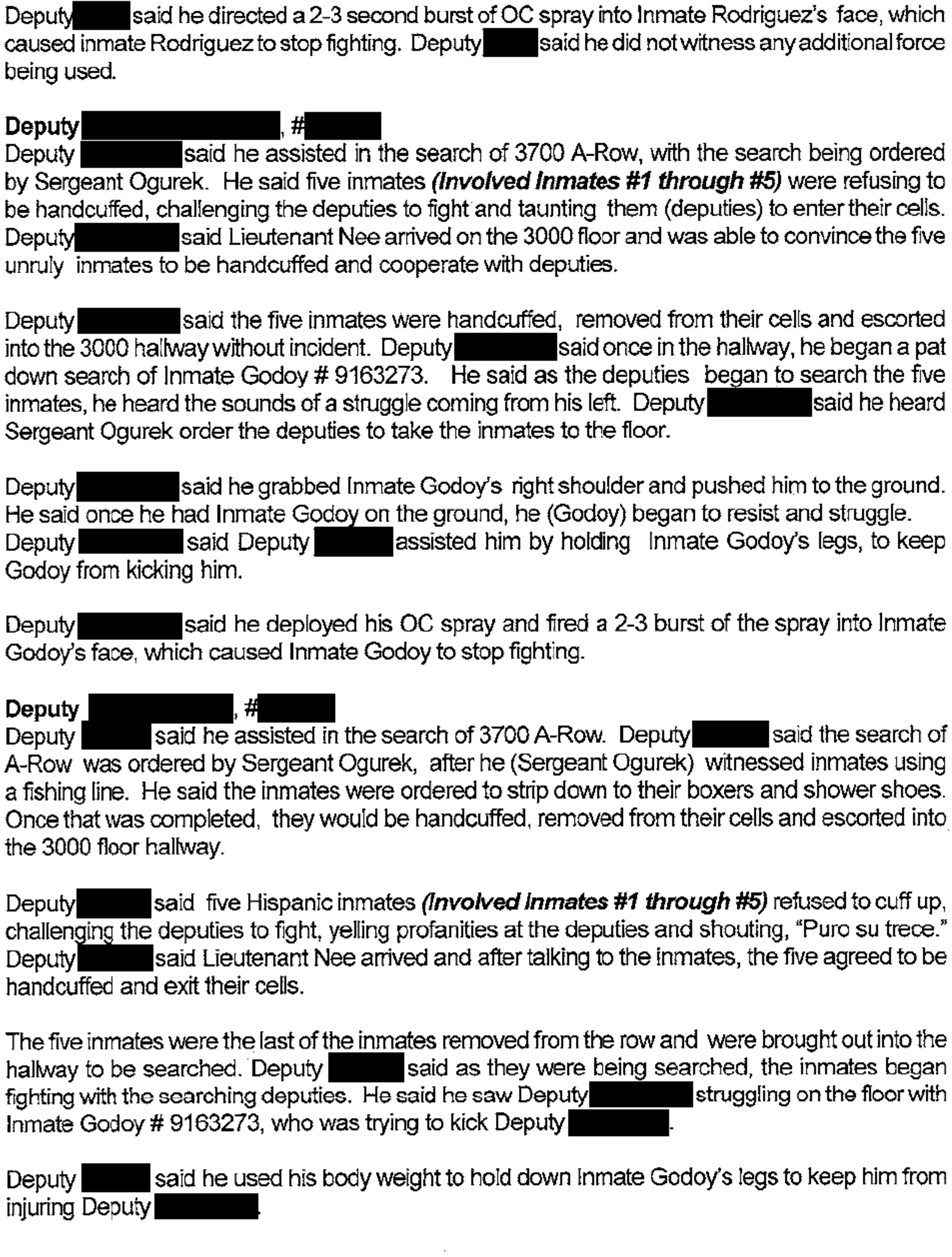
Deputy [redacted], #[redacted]

Deputy [redacted] said he was assigned as a prowler on the 3000 floor and assisted in a search of 3700 A-Row. Deputy [redacted] said prior to A-Row being searched, all of the prisoners were told to strip down to their underwear and to back up to the cell doors, so that they could then be handcuffed and escorted out into the 3000 floor hallway.

Deputy [redacted] said all of the inmates complied, with the exception of five gang members ***(Involved Inmates #1 through #5)*** who refused to obey orders and challenge the deputies to fight them. Deputy [redacted] said after approximately 10-15 minutes of Sergeant Ogurek and Lieutenant Nee speaking with them, the five inmates agreed to cuff up and to cooperate. The five inmates did ask to be the last inmates removed from the row.

Deputy [redacted] said they were the last five inmates escorted off the row. Once in the hallway, they were told to face the wall so that they could be searched. Deputy [redacted] said he saw Deputy [redacted] begin a pat down search of Inmate Rodriguez # 8349982 and that Inmate Rodriguez began kicking at Deputy [redacted] with the heel of his (Rodriguez') foot.

Deputy [redacted] said Deputy [redacted] grabbed Inmate Rodriguez by the left arm and took him to the floor. Simultaneously the other four inmates began to fight or aggressively resist being searched. He said at this time he heard Sergeant Larson order the deputies to spray them.



Deputy [redacted] said he directed a 2-3 second burst of OC spray into Inmate Rodriguez's face, which caused inmate Rodriguez to stop fighting. Deputy [redacted] said he did not witness any additional force being used.

Deputy [redacted], #[redacted]

Deputy [redacted] said he assisted in the search of 3700 A-Row, with the search being ordered by Sergeant Ogurek. He said five inmates ***(Involved Inmates #1 through #5)*** were refusing to be handcuffed, challenging the deputies to fight and taunting them (deputies) to enter their cells. Deputy [redacted] said Lieutenant Nee arrived on the 3000 floor and was able to convince the five unruly inmates to be handcuffed and cooperate with deputies.

Deputy [redacted] said the five inmates were handcuffed, removed from their cells and escorted into the 3000 hallway without incident. Deputy [redacted] said once in the hallway, he began a pat down search of Inmate Godoy # 9163273. He said as the deputies began to search the five inmates, he heard the sounds of a struggle coming from his left. Deputy [redacted] said he heard Sergeant Ogurek order the deputies to take the inmates to the floor.

Deputy [redacted] said he grabbed Inmate Godoy's right shoulder and pushed him to the ground. He said once he had Inmate Godoy on the ground, he (Godoy) began to resist and struggle. Deputy [redacted] said Deputy [redacted] assisted him by holding Inmate Godoy's legs, to keep Godoy from kicking him.

Deputy [redacted] said he deployed his OC spray and fired a 2-3 burst of the spray into Inmate Godoy's face, which caused Inmate Godoy to stop fighting.

Deputy [redacted], #[redacted]

Deputy [redacted] said he assisted in the search of 3700 A-Row. Deputy [redacted] said the search of A-Row was ordered by Sergeant Ogurek, after he (Sergeant Ogurek) witnessed inmates using a fishing line. He said the inmates were ordered to strip down to their boxers and shower shoes. Once that was completed, they would be handcuffed, removed from their cells and escorted into the 3000 floor hallway.

Deputy [redacted] said five Hispanic inmates ***(Involved Inmates #1 through #5)*** refused to cuff up, challenging the deputies to fight, yelling profanities at the deputies and shouting, "Puro su trece." Deputy [redacted] said Lieutenant Nee arrived and after talking to the inmates, the five agreed to be handcuffed and exit their cells.

The five inmates were the last of the inmates removed from the row and were brought out into the hallway to be searched. Deputy [redacted] said as they were being searched, the inmates began fighting with the searching deputies. He said he saw Deputy [redacted] struggling on the floor with Inmate Godoy # 9163273, who was trying to kick Deputy [redacted].

Deputy [redacted] said he used his body weight to hold down Inmate Godoy's legs to keep him from injuring Deputy [redacted].

Deputy [redacted], #[redacted]
Deputy [redacted] said he was assigned as a movement officer/prowler on the 2000 floor. He said he, Sergeant Larson and Deputy [redacted] responded to the 3000 floor to assist deputies in a row search.

Deputy [redacted] said as he arrived he saw five inmates ***(Involved Inmates #1 through #5)*** being led out of the 3700 Module. He said the five inmates were very loud, defiant and uncooperative.

Deputy [redacted] said he assisted Deputy [redacted], who was escorting Inmate Orellana # 9232292, out of 3700 and into the hallway. He said as they were about to begin searching Inmate Orellana, Inmate Taylor began threatening the deputies, telling them to take his handcuffs off. Moments after the outburst by Inmate Taylor, Inmate Orellana tensed his body, moving and trying to turn around as he was being searched.

Deputy [redacted] said he grabbed Inmate Orellana's left shoulder and neck with his right hand and held onto his handcuffs with his left hand, and guided him to the floor. Inmate Orellana who was on his stomach, began to struggle and kick, ignoring verbal commands to stop fighting.

Deputy [redacted] then pinned Inmate Orellana left foot to his (Orellana) left leg, and at the same time used his body weight to keep Inmate Orellana on the floor. Once pinned, Inmate Orellana complied with Deputy [redacted] orders.

Deputy [redacted], #[redacted]
Deputy [redacted] said he responded to Module 3700 to assist in a row search. He said when he arrived he heard a few of the inmates ***(Involved Inmates #1 through #5)*** on A-Row yelling to each other not to hook up. He said he walked over to cell #13 and saw Inmate Orellana # 9232292, standing at the back of his cell. Deputy [redacted] said Inmate Orellana told him, "Fuck off, I'm not hooking up."

Deputy [redacted] said he heard an unknown inmate yell out, "All homies to hookup," at which time Inmate Orellana faced the rear of his cell and allowed himself to be handcuffed.

Deputy [redacted] said he escorted Inmate Orellana into the hallway so that he could be searched. He said as he began the search, he heard Inmate Taylor begin yelling at the deputies, threatening them and demanding the deputies remove his handcuffs.

Deputy [redacted] said almost immediately he felt Inmate Orellana begin to tense his upper body as he tried to spin around and face him. Deputy [redacted] said he took control of Inmate Orellana's left arm with his right hand and guided him to the floor. Once on the ground, Inmate Orellana kicked his feet and throwing his body weight, as he tried to escape from Deputy [redacted] control.

Deputy [redacted] said gave numerous verbal commands to Inmate Orellana to stop fighting and lay still. He said Inmate Orellana instead, turned his head and bit him (Deputy [redacted]) on the palm of his left hand.

Deputy [redacted] said he punched Inmate Orellana approximately 5-7 time in the face, with Inmate Orellana finally ending his resistance.

WITNESS DEPUTIES:

Deputy Daren Jaramillo, #[redacted]

Deputy Jaramillo said he was informed by Sergeant Ogurek that floor personnel were gong to conduct a search of 3700 A-Row.

He said he was detailed to provide security in the 3000 hallway, for the thirteen cooperative inmates that had been removed from A-Row. Deputy Jaramillo said the thirteen inmates were sitting on the hallway floor, handcuffed and facing the wall.

Deputy Jaramillo said when the last five inmates ***(Involved Inmates #1 through #5)***, were escorted out, he heard inmates yelling profanities at the deputies and heard the sounds of what sounded like a struggle. He said that since it was only him and Deputy Manzo watching the thirteen inmates, he concentrated on keeping them from turning around or moving about.

Deputy Jaramillo said he heard the sound of the Taser being deployed, but did not witness any force.

Deputy Mickey Manzo, #[redacted]

Deputy Manzo said that he was directed to provide security in the 3000 floor hallway, as deputies searched 3700 A-Row for a "fishing line, pruno" and/or weapons and contraband.

Deputy Manzo was assigned the MK-46 Taser and told to provide back-up for the deputies, who were watching the thirteen inmates that had been previously removed from A-Row. Deputy Manzo said that as the five remaining inmates ***(Involved Inmates #1 through #5)***, were led out, he heard yelling and orders being given to stop fighting and then additional commands by the sergeants.

He said his attention was focused on the thirteen inmates that were sitting on the floor, as they began to turn away from the wall and look around. Deputy Manzo said he believed the thirteen inmates posed a serious threat to the involved deputies, if they were allowed to get up. He said he and Deputy Jaramillo, remained at their post, with their attention focused on the thirteen inmates. Deputy Manzo said as such, he did not witness any of the force that was used.

Deputy Timothy Rashford, #[redacted]

Deputy Rashford was assigned to the 3000 floor as the A/ Senior Lead Deputy. Deputy Rashford said he entered 3700 A- Row and heard Lt. Nee and Sergeant Ogurek talking with several inmates who were refusing to be handcuffed.

Deputy Rashford said he learned there was a total of five inmates ***(Involved Inmates #1 through #5)***, who had refused to exit their cells and that the rest of A-Row (thirteen inmates) had cooperated and were outside in the 3000 Hallway. Deputy Rashford said he could smell the odor of "pruno" on the five uncooperative inmates, who eventually agreed to be handcuffed.

Deputy Rashford said he took up a position in the hallway, maintaining security over the thirteen inmates that had been handcuffed and were sitting on the floor. He said the plan was to keep the last five inmates away from the thirteen cooperative inmates.

Deputy Rashford said as the last five inmates were escorted into the hallway, he immediately heard various profanities and challenges directed at the deputies, by the five inmates. He said he heard Deputy [redacted] tell Inmate Rodriguez, # 8349982, to face the wall and stop turning around. Deputy Rashford said when Inmate Rodriguez turned again, he saw Deputy [redacted] force Inmate Rodriguez to the ground. Deputy Rashford said he saw Deputy [redacted] spray Inmate Rodriguez in the face with OC spray.

Deputy Rashford said he heard Sergeant Ogurek, give the order to deploy the Taser and Sergeant Larson was ordering deputies to use their OC spray. Deputy Rashford said the incident happened very quickly and that he did not witness any additional force.

SUPERVISORS:

Sergeant Gerhard Ogurek, # [redacted]

Sergeant Ogurek said he was making an inspection of 3500/3700 Module when he noticed a fishing line being pulled into cell # 16. Sergeant Ogurek said he asked the inmate in cell # 16, (Inmate Rodriguez # 8349962) to surrender the fishing line and he denied having it. Sergeant Ogurek said he told Inmate Rodriguez that if he didn't relinquish the fishing line, he would order a search of the entire row.

After Inmate Rodriguez failed to give up the contraband fishing line, Sergeant Ogurek ordered the deputies to make preparations to search the A-Row. He directed the deputies to have the inmates strip down to their underwear and shower shoes and that they be handcuffed before being removed from their cells.

Sergeant Ogurek said this was done for security and the safety of the deputies and the inmates. All of the inmates in 3700 A-Row had been recently declassified from K-10, to a lower security level of K-6.

Sergeant Ogurek said all of the inmates on A-Row complied with the deputies instruction, with the exception of five inmates ***(Involved Inmates #1 through #5)***, who refused to obey the deputies orders. Thirteen inmates were handcuffed and escorted out of their cells and into the hallway. Sergeant Ogurek said he immediately notified the PM Watch Commander Lieutenant Nee of the situation and then went back onto the row, to try and convince the five remaining inmates to cooperate.

Sergeant Ogurek said he established a rapport with Inmate Rodriguez who told him, they wanted to be reclassified as K-10's and moved to 1700 Module. Sergeant Ogurek said all five of the inmates demonstrated signs of intoxication and that their demeanor changed rapidly, from being loud and defiant, to that quiet and resistive. He said one of the five inmates, Inmate Murillo had already shielded himself with his mattress, as if expecting something to happen. Sergeant Ogurek said he convinced Inmate Rodriguez that resisting would be futile and that it would change nothing. He said Inmate Rodriguez agreed and told the other four inmates to cuff up.

Sergeant Ogurek said he walked off the row with deputies, as they escorted Inmate Murillo, (the last of the five uncooperative inmates) off the row. He said as he entered the 3000 Floor hallway, his attention was drawn to the east wall, where the four of the uncooperative inmates were being searched by deputies. He said Inmate Rodriguez called out to him, "Sergeant why are you harassing my people? " Sergeant Ogurek said he walked over to Inmate Rodriguez and asked him what he meant by term harassment. He said while still facing Inmate Rodriguez, when Inmate Taylor # 9174841 yelled something in Spanish, then quickly spun to his right yelling, "Unhandcuff me now."

Sergeant Ogurek said the other four inmates immediately followed Inmate Taylors lead and tried to turn on the deputies who were conducting pat down searches. He said the deputies were struggling to place them back up against the wall and he ordered the deputies to take the combative inmates to the floor, so that they would have better control of them.

Sergeant Ogurek said he saw the inmates attempt to head butt, kick and bite the deputies. He said once on the floor, the five inmates continued to kick and bite and tried to stand up. He said he called for the Tasers to be up and ready and directed deputies to deploy the Tasers,on Inmates Murillo # 9067726 and Taylor #9174841. He said once the Taser had completed it cycle, both inmates ceased fighting.

Sergeant Ogurek said he knew there was between two and four deputies trying to control each of the involved inmate and immediately went about identifying the force used and by whom. At the same time he called for medical attention and had a triage set up on the 3000 Floor.

Sergeant Ogurek said none of the thirteen inmates that had previously escorted out, became involved in the altercation. Sergeant Ogurek said at the time of the incident, Lieutenant Nee was still Module 3700 on the upper rows, trying to calm the inmates who had been agitated by the five involved inmates.

Sergeant Leslie Larson, # [redacted]

Sergeant Larson said she was working as the 2000 Floor Sergeant when she received word that several K-6 inmates in 3700 A-Row were refusing to be handcuffed. Sergeant Larson said because she was also assigned as the Team Leader for the Cell Extraction Team, she asked Deputies [redacted] and [redacted] to accompany her to the 3000 Floor and see if their assistance was needed.

Sergeant Larson said as she arrived on the 3000 floor, she saw numerous deputies and inmates, along with Sergeant Ogurek standing in the hallway. She said approximately fifteen inmates were handcuffed and seated on the ground and that they appeared to be cooperative. She said an additional five inmates ***(Involved Inmates #1 through #5)*** were in the process of being searched.

Sergeant Larson said these inmates were arguing with the deputies and she heard one of the inmates yell, " Why are you messing with my homies?" She said one of the inmates then yelled out something in Spanish that she did not understand and that the five inmates immediately turned and charged the deputies that were searching them. Sergeant Larson said the deputies quickly reacted and forced the inmates to the ground.

Sergeant Larson then said she issued the command for the deputies to spray the inmates that were still fighting. She said she saw Deputy [redacted] remove his OC spary from its holster and direct a short burst of the spray into the face of Inmate Rodriguez # 8349982. Sergeant Larson said the spray had its desired effect and Inmate Rodriguez stopped fighting.

Sergeant Larson said she saw Deputy [redacted] and [redacted] struggling with Inmate Orellana #9232292 and that Orellana was kicking and refusing to comply with the deputies orders to stop fighting. She said she saw Deputy [redacted] grab Inmate Orellana's foot, bend it backwards and then use his body weight to try and control Orellana. She said Orellana then turned his head and bit Deputy [redacted] on the left palm of his hand. She said Deputy [redacted] then punched Inmate Orellana several times in the face, which stopped Inmate Orellana's assault.